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11 Attorneys for Defendant JAMES ARTHUR RAY

12 SUPERIOR COURT OF STATE OF ARIZONA
13 COUNTY OF YAVAPAI

14 STATE OF ARIZONA,

15 Plaintiff,

16 vs.

17 JAMES ARTHUR RAY,

18 Defendant.
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SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2011 JUN 24 PM 3:03

SANDRA K. MARKHAM, CLERK
BY: Ivy Rios

CASE NO. VCR1300CR201080049

Hon. Warren Darrow

DIVISION PTB

**DEFENDANT JAMES ARTHUR RAY'S
REQUEST FOR LEAVE TO EXCEED
PAGE LIMITS (ARIZ. R. CRIM. P.
35.1(B) AND 35.4)**

1 TO THE HONORABLE WARREN R. DARROW AND SHEILA POLK, YAVAPAI COUNTY
2 ATTORNEY:

3 Defendant James Arthur Ray, by and through his attorneys of record, requests
4 leave to exceed the page limits for his Motion to Strike Aggravating Circumstances, filed with
5 this Court on June 24, 2011. The Court has discretion to grant Mr. Ray's request, Ariz. R. Crim.
6 P. 35.1(b), and "[u]pon request of a party, or on its own initiative, the court may waive a
7 requirement specified in this rule, or overlook a formal defect in a motion or request." Ariz. R.
8 Crim. P. 35.4. The Motion to Strike involves critical issues implicating Mr. Ray's constitutional
9 rights. Seeking to increase Mr. Ray's sentence, the State has alleged five distinct aggravators,
10 each of which corresponds to a distinct set of requirements and body of case law. It is incumbent
11 on Defense counsel to address each aggravator in detail, thus requiring a motion that slightly
12 exceeds the 10-page limit.

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14 DATED: June 24, 2011

MUNGER, TOLLES & OLSON LLP

BRAD D. BRIAN

LUIS LI

TRUC T. DO

MIRIAM L. SEIFTER

17 THOMAS K. KELLY

18
19 By: 

20 Attorneys for Defendant James Arthur Ray

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23 Copy of the forgoing mailed/faxed/
24 delivered this 24th day of June 2011, to:

25 Sheila Polk
26 Yavapai County Attorney
27 255 E. Gurley
28 Prescott, Arizona 86301

By: 